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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

UBILES, MARIE C

ART UNIT PAPER NUMBER

2642

DATE MAILED: 03/12/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/886,046

Applicant(s)

GRUCHALA ET AL

Examiner

Marie C. Ubiles

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 June 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 5.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

Drawings

1. New corrected drawings are required in this application because the connections made on Fig. 1 are too cumbersome to understand. Applicant is advised to employ the services of a competent patent draftsman outside the Office, as the U.S. Patent and Trademark Office no longer prepares new drawings. The corrected drawings are required in reply to the Office action to avoid abandonment of the application. The requirement for corrected drawings will not be held in abeyance.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

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Claims 1, 9 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Morrissey et al. (US 5,524,146) in view of Breslin (August 1999) and further in view of Dowens (US 5,559,857).

As for claim 1, Morrissey et al. discloses a telecommunications method an originating call to an appropriate end office within a local communications network (See Summary of the Invention, Col. 6, lines 28-37) interconnecting a plurality of service switching points (*SSPs 11, 13, 15 and 17*)(See Fig. 1), the originating call being in response to a calling party (or *station A*) inputting a universal telephone number (or *short number code/N11 code*) into a first communications device (or *terminal station*) to a first service switching point (See Best Mode, Col. 19, lines 40-57), the first communication device having at least one identifier (See best Mode, Col. 20, lines 10-15).

Morrissey et al. does not specify routing and connecting the originating call to a telecommunications relay service center, nor does the universal telephone number being translated to a toll free telephone number of a telecommunications relay service (TRS) center corresponding to an ANI or charge number of the communications device, and providing to and receiving at said telecommunications relay service (TRS) center the identifier corresponding to the communications device.

Breslin teaches "Bell Atlantic chose Advanced Intelligent Network (AIN) technology to provide 7-1-1 access because of cost and functionality. The AIN Integrated Service Control Point (ISCP) contains service logic that responds to queries from the switches. The use of AIN enables the 800 number for each state to be

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programmed into an ISCP based on the Numbering Plan Area (NPA) of the calling party. Because of Bell Atlantic's success with the AIN deployment of 7-1-1 dialing in Maryland, AIN is being used to provide 7-1-1 service to Bell Atlantic's remaining states and jurisdictions. [...] The Commission should find that TRS providers are obligated to provide access to the customer's carrier of choice so that everyone – including Relay users – can benefit from being able to choose from all of the calling plans and services available to them in a competitive marketplace.” (See Page 1, P. 5 and Page 2, P. 2).

Dowens further teaches “The adjunct 50 connects to a particular center 65 based upon the ANI of the hearing or speech impaired party involved in the call. Each center 65 is staffed by operators (60) whose terminals are connected to the fractional T1 trunks 54 via the Local Area Network (LAN) 55. The operator 60 handling the call dials the DLN received from the adjunct 50, and the adjunct 50 requests the HAS 15 to establish a voice path and a path for out-of-band signals between the called party 4 and the adjunct (50) via the B-channel and the D-channel of the PRI (45), respectively. Once the forward connection has been established, the adjunct 50 can route the calling activity over the switching network 30. The calling activity includes the operator 60 relaying the conversation between the hearing or speech impaired and voice parties (2, 4). For example, if a hearing or speech impaired party places a call using a telecommunications terminal (TT), text typed by the TT party would be transferred over the LAN 55 for display on the operator's (60) terminal. The operator 60 would then read the text to the connected voice party. When the transaction ends, the voice party speaks his response which the operator 60 hears. The operator 60 types what is

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heard and the text is sent to the TT party who reads it on his terminal. This process alternates until the conversation is completed.” (See Detailed Description, Col. 4, lines 40-65).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Morrissey's et al. claimed invention by providing a universal number that can be translated to a toll free telephone number of a telecommunications relay service center corresponding to an ANI or a charge number (as read on calling plan) of the communications device as taught by Breslin; thus in this manner making it easier to a person with disabilities to contact a TRS with easy dialing of a N11 (or 711) type code number, but also provide access to the customer's carrier of choice.

Further, Morrissey's et al. invention can be modify by providing to and receiving at said telecommunications relay service center the identifier corresponding to the communications device as taught by Dowens et al.; thus in this manner providing the operator at the TRS center with more information regarding the calling party (or *impaired party*) being currently helped.

Claims 9 and 14 are rejected for the same reasons as claim 1. Breslin teaches the use of a service control point (or ISCP) communicating with an SSP (as read on “queries from the switches”) for translating the universal dialed number (or 711) into a toll free number (or 800 number) corresponding to a TRS center.

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3. Claims 3-4 and 10-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Morrissey et al. (US 5,524,146) in view of Breslin (August 1999) and further in view of Dowens (US 5,559,857) as applied to claims 1,9 and 14 above; and further in view of Peltz (August 1999).

As for claim 3-4 and 10, Morrissey et al. teaches "The present service could be implemented with one or more ISCP's per state, to avoid overloading existing CCIS data links. Alternatively, the ISCP could be implemented on a LATA by LATA basis or on a regional operating company, i.e. one data base for the entire geographic area serviced by one of the Regional Bell Operating Companies." (See Best Mode, Col. 9, lines 19-24).

Peltz further teaches "Common carriers are required under Title IV of the Americans Disabilities Act (ADA) to provide TRS throughout their calling areas. For the most part, they fulfill this obligation through state-operated TRS programs. Each of the 50 states and United States territories have independently developed these programs, resulting in a myriad of 7 to 11 digit relay telephone numbers across the nation. This has made access to TRS difficult, if not impossible, when relay callers travel across state border. Use of the 7-1-1 code simplifies access to TRS [...] Commenters to the Commission's NPRM on this subject reported that routing all 711 calls from a subscriber's telephone to the subscriber's preferred TRS provider can be accomplished through a database query initiated by an Advanced Intelligent Network (AIN). The query response would contain an 800 routing number that would correspond to the relay user's pre-selected provider..." (See Page 2, P. 3 and Page 5, P. 2).

It would have been obvious to one of ordinary skill in the art at the time the invention to modify Morrissey et al. in view of Breslin (August 1999) and further in view of Dowens as applied to claims 1,9 and 14 above with the step of having the SCP identifying the originating state of the caller and forwarding the call to an appropriate TRS center for the originating state as per the teachings of both Morrissey et al. and Peltz; thus in this manner making possible to telecommunication service providers (or common carriers) to provide a relay caller with a simpler way to call the TRS center when traveling across state lines and using several numbers per state to avoid overloading the existing data links.

As for claims 11-13, Dowens teaches the use of a feature group D trunk (or *fractional T1 trunks*) connecting the at least one service switching point (or *switching network 30*) to the TRS center (or *AT&T OSD* or *TRS Center 65*); in which the at least one feature group D trunk operates with a Signaling System 7 network and the identifier is the charge number (or *calling card information*) (See Detailed Description, Col. 4, lines 34-37); and wherein the at least one feature group D trunk comprises a multi frequency feature group D trunk, and the identifier is automatic number identification (ANI) (See Detailed Description, Col. 5, lines 5-9).

4. Claim 2 and 5-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Morrissey et al. (US 5,524,146) in view of Breslin (August 1999) and further in view of Dowens (US 5,559,857) as applied to claims 1,9 and 14 above; and further in view of Keating et al. (September 1998).

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As for claim 5-7, Keating et al. teaches "...all incoming emergency relay calls should be processed through an automated database system that matches the TRS callers automatic number information ("ANI") with the appropriate emergency service number in his or her area. Automated database systems will significantly reduce the amount of time necessary for Calling Assistants ("CA") to process emergency calls. Furthermore, the Commission should require telephone companies to share database information, including ANI and automatic location information ("ALI"), with TRS providers without proprietary restrictions." (See Page 2, P. 2)

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Morrissey et al. in view of Breslin (August 1999) and further in view of Dowens as applied to claims 1,9 and 14 above by adding the step of displaying at the TRS center: user identifying information and location of the calling party; as taught by Keating et al.; thus in this manner providing the center with an efficient manner to handle emergency calls made by a caller into the TRS center. It is well known in the art that when dealing with emergency calls to a center the calls made by a calling party are counted in order to keep a log of how the emergency situation was handled; the counting of calls made can also be used for billing purposes.

As for claim 8, it is well-known in the art that for ethical reasons the only information made into a TRS center that can be stored in memory is the one used for planning and billing purposes; the only time this rule is waived is in emergency situations.

Claim 2 is rejected for the same reasons as claims 5-8.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Moy (July, 1999) and Bell Atlantic (July, 1998) teaches the use of 711 access to a TRS center.


7-1-1 Technical Conference Notes (November, 2000) teaches the delivery of ANI to the TRS center being imperative for branding to work.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marie C. Ubiles whose telephone number is (703) 305-0684. The examiner can normally be reached on 8am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar can be reached on (703) 305-4731. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Marie C. Ubiles
March 5, 2004


AHMAD F. MATAR
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2700

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